

2653

Practitioner's Docket No. 944-003.021-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. Vainio et al

Serial No.: 09 / 852,127 Group No.: 2655

Filed: May 9, 2001 Examiner: D. Agebe

For: Audible Error Detector and Controller Utilizing
Channel Quality Data and Iterative Synthesis

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is
- ☐ a small entity. A statement:
 - ☐ is attached.
 - ☐ was already filed.
 - ☒ other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 4/7/05

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Margery B. Hood

Margery B. Hood
(type or print name of person certifying)

(Amendment Transmittal [9-19]—page 1 of 4)

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

| Extension (months) | Fee for other than small entity | Fee for small entity |
|---------------------------------------|------------------------------------|-------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 400.00 | \$ 200.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> four months | \$1,510.00 | \$ 755.00 |

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | OTHER THAN A SMALL ENTITY |
|--|--------------------------------------|------------------|------------------------|-------------------------------|
| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE ADDIT. FEE | RATE ADDIT. FEE |
| TOTAL • 28 | MINUS • 28 | = - | x\$11= \$ | x\$18= \$ |
| INDEP. • 5 | MINUS • 4 | = | x\$41= \$ | x\$200= \$ 200 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | + \$135= \$ | + \$270= \$ |
| | | | TOTAL ADDIT. FEE \$ | OR TOTAL ADDIT. FEE \$ 200 |

- If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☐ No additional fee for claims is required.

OR

(d) ☒ Total additional fee for claims required \$ 200.00

FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 200.00
- ☒ Charge Account No. 23-0442 the sum
of \$ any deficiency
- A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 23-0442

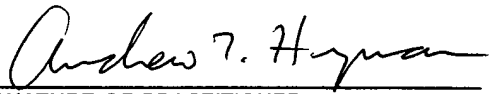
AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 23-0442

Reg. No.: 45,858

Tel. No.: (203) 261-1234

Customer No.: 004955



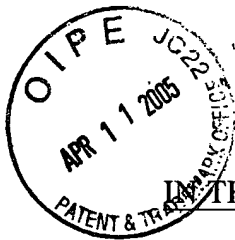
SIGNATURE OF PRACTITIONER

Andrew T. Hyman

(type or print name of practitioner)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Vainio et al.

Examiner: D. Abebe

Serial No. 09/852,127

Art Unit: 2655

Filed: May 9, 2001

Supervisory Examiner: D. To

For: **AUDIBLE ERROR DETECTOR AND CONTROLLER UTILIZING
CHANNEL QUALITY DATA AND ITERATIVE SYNTHESIS**

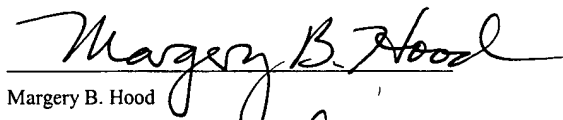
Mail Stop AMENDMENT - NO FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO NON-FINAL OFFICIAL ACTION

Sir:

This communication is in response to the non-final Official Action of January 10, 2005.
For the reasons detailed below, we respectfully request reconsideration of rejected claims.
Please amend the above-captioned application as follows.

I hereby certify that this correspondence is being deposited today with the United States Postal Service with sufficient postage as first-class mail
in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450.


Margery B. Hood
Dated: *April 7, 2005*

04/12/2005 GWORDOF1 00000007 09852127

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